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# ***Public Utilities Commission of the State of California***

*Wesley M. Franklin, Executive Director*

**Headquarters**

505 Van Ness Avenue  
San Francisco, CA 94102  
(415) 703-2782

**Southern California Office**

320 West 4<sup>th</sup> Street, Suite 500  
Los Angeles, CA 90013  
(213) 576-7000

*Website:* <http://www.cpuc.ca.gov>

*Calendar Archive:* [http://www.cpuc.ca.gov/daily\\_calendar\\_archive/](http://www.cpuc.ca.gov/daily_calendar_archive/)

## **Daily Calendar**

### **Thursday, January 2, 2003**

- Regular Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification and Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/  
Arbitrator's Reports
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Final Oral Argument
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. Please see the *Notice to People With Disabilities* section on page two of this Daily Calendar for further information.

## REGULAR COMMISSION BUSINESS MEETINGS

<b>January 7, 2003</b>	<b>1:30 pm</b>	<b>San Francisco (Closed Session Only)</b>
January 16, 2003	10 am	San Francisco
January 30, 2003	10 am	San Francisco
February 13, 2003	10 am	San Francisco

## COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

*Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.*

January 13, 2003	1:30 pm	San Francisco
January 27, 2003	1:30 pm	San Francisco
February 10, 2003	1:30 pm	San Francisco

## NOTICE TO PEOPLE WITH DISABILITIES

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

- e-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)  
toll-free: 1-866-849-8390  
Voice: 415-703-2074  
FAX: 415-355-5404 (Attn.: Public Advisor)  
TTY: 1-866-836-7825 (toll-free)  
1-415-703-5282

## NOTICES

### **Delivery of Formal Pleadings for Filing**

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4<sup>th</sup> Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents

sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

**Charge for Commission Documents**

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

**Commission Resources Available for Rental**

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

**SUBSCRIPTION INFORMATION**

**Subscription Notice for Draft Agenda Items**

In compliance with Public Utilities Code Section 311.5, parties who wish to subscribe to receive draft agenda items may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The cost for a one-year subscription to the entire public agenda package (which excludes Executive Session materials) is \$1,000. You may also order a partial agenda package (energy agenda items only or telecommunication agenda items only) at the cost of \$500 per year. The package you receive via mail will include only those agenda items available at the time of the agenda distribution date, which is usually 10 to 12 days prior to the Commission meeting. If agenda items (including revisions) are not ready on the distribution date, they will be made available at no charge in the lobby outside the Commission Auditorium at 9:00 a.m. on the morning of the Commission meeting, but not earlier.

In addition, the Commission will make draft agenda items available for viewing and photocopying (at 20 cents per page) at the Commission's Central Files Office (Room 2002), 505 Van Ness Avenue, San Francisco, and in the Los Angeles, San Diego, and Sacramento field offices. Since the agenda package will be mailed to these locations, it will be available at these locations a day or two after the distribution date. These locations will not receive agenda items that are not ready on the distribution date.

If an agenda item is held over to a subsequent Commission meeting, that agenda item and any revisions to that agenda item that were available on the morning of the initial Commission meeting (as well as any further available revisions) will be mailed in the Escutia package for the subsequent Commission meeting; the item and its revisions will also be available for viewing and photocopying in the Commission's Central Files Office and field offices as set forth above.

Intervenors who have a financial hardship determination pending or granted shall be eligible to receive draft agenda item packets at no charge.

The cost to receive the agenda only, without copies of draft agenda items, remains at \$75 per year.

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**Subscription Notice for Daily Calendar and/or Agenda**

Parties who wish to subscribe to the Daily Calendar and/or the Agenda may do so by writing to the Public Utilities Commission; Attention: Poly Arca, Room 1003, 505 Van Ness Avenue, San Francisco, CA 94102, or by calling (415) 703-1798. The subscription cost for the Daily Calendar is \$225 per year. The Biweekly Daily Calendar is \$50 per year. The Agenda is \$75 per year. Checks are to be made payable to the Public Utilities Commission.

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**COMMISSIONER OFFICE HOURS**

NONE

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**PUBLIC MEETING & WORKSHOPS**

**Public Meeting Notice – Deaf and Disabled Telecommunications Program**

<i>Deaf and Disabled Telecommunications Program Advisory Committee (DDTPAC) January 7, 2003 10 am – 4 pm</i>	<i>DDTP Offices 505 14<sup>th</sup> Street, Suite 400 Oakland</i>
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The Administrative Committee of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

**PUBLIC MEETING AGENDA:**

I.) Minutes of the December 2002 DDTPAC Meeting, II.) Approval of Agenda, III.) Administrative Business, Public Input (1:00 p.m.), B.) Report from the Chair, C.) Executive Director's Report, IV.) Financial Business, V.) Other Business, A.) Report and Recommendation from Finance Subcommittee, B.) Review of PNS Contract, C.) Appointment of Interviewing Subcommittee, D.) Extension of CRS Master Agreement, E.) Review of Recommendation from CRS RFP Subcommittee, F.) Review of Resolution T-16703, G.) Review of AB 1734 Transition Issues, and VI.) DDTP Departmental Activity Reports.

**DDTPAC Meeting Information:**

For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 voice or (510) 302-1101 TTY or via e-mail at [katyf@ddtp.org](mailto:katyf@ddtp.org).

**Environmental Notice:**

People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

**Public Meeting Notice – Deaf and Disabled Telecommunications Program**

Deaf and Disabled  
Telecommunications Program  
Equipment Program Advisory  
Committee (EPAC)  
January 9, 2003  
10 am – 4 pm

DDTP Offices  
Conference Room  
505 14<sup>th</sup> Street, Suite 400  
Oakland

The Equipment Program Advisory Committee of the Deaf and Disabled Telecommunications Program will hold a meeting to address the following:

**PUBLIC MEETING AGENDA:**

I. Administrative Business, A. Agenda Modification and Approval (Killian), B. Review of Minutes from the Previous Meeting (Killian), C. Review of Action List Items (Killian), D. Report from the Chair (Killian), E. Executive Director's Report (Bergum), F. DDTP Staff Reports, 1. Consumer Affairs Report, 2. Consumer Contact Report, 3. Field Operations Report, 4. Marketing Report, 5. CRS Report, II. Public Input, III. Equipment Program Manager's Report (Castellanos), IV. Equipment Update (Castellanos), V. 1:30 PM – Ameriphone Demonstration, VI. 2:30 PM - ACD Demonstration (Dimitri Belser), VII. Transition Update (Chair), VIII. Deaf Expo Report (Olson), IX. Volunteer Representative to CRSAC (Chair), X. Volunteer Representative to DDTPAC (Chair), XI. Other Business, A. Member Reports, B. Review of consumer contact logs, C. Requests for invention, D. Suggested items for next month's agenda, and E. Future meetings.

**Meeting Information:**

For more information, please contact Katy Franco, DDTP Committee Coordinator at (510) 302-1100 x110 voice or (510) 302-1118 TTY.

**Environmental Notice:**

People with environmental illness or multiple chemical sensitivities must reduce their exposure in order to attend this meeting. Please refrain from wearing perfumes or scents to DDTP meetings.

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**NOTICE OF DRAFT RESOLUTIONS  
(Pursuant to PU Code § 311(g))**

**NONE**

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**NEW FILINGS**

12/19/02	A02-02-036	<b>Amendment</b> - RuralWest – Western Rural Broadband Inc., for a Certificate of Public Convenience and Necessity to Offer Local Exchange, Access, and Interexchange Services. <b>The Amendment consists of requesting Limited</b>
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**Facilities-Based authorization in lieu of Reseller status only.**

12/30/02	A02-12-041	Bart C. Mulvihill, dba Conejo Valley Airporter, for authority to operate as a scheduled Passenger Stage Corporation between points in the Conejo Valley and the Los Angeles International Airport. (21650 Burbank Boulevard, No. 223, Woodland Hills, CA 91367; (818) 999-9909.)
12/23/02	A02-12-042	County of Kern, for an Order authorizing construction of a crossing at separated grades between Mohawk Street and the tracks of the Burlington Northern and Santa Fe Railway, sometimes referred to as the Mohawk Street Underpass, P.U.C. No. 2-890.1B.
12/23/02	A02-12-043	County of Kern, for an Order authorizing construction of a crossing at separated grades between 7th Standard Road and the tracks of the Burlington Northern and Santa Fe Railway, sometimes referred to as the 7th Standard Road Overhead, P.U.C. No. 2-899.5A.
12/31/02	A02-12-044	Better World Telecom, Inc., dba BetterWorld Telecom, for Registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013.

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**PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING**

12/26/02	I00-11-002	Order instituting investigation on the Commission's own motion into the adequacy of the Southern California Gas Company's and San Diego Gas & Electric Company's (SDG&E) gas transmission systems to serve the present and future gas requirements of the SDG&E's core and noncore customers; <b>Application for Rehearing of D02-11-073 by Southern California Generation Coalition.</b>
12/30/02	R01-10-024	Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development; <b>Application for</b>

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**Rehearing of D02-12-069 by Pacific Gas and Electric Company.**

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**DRAFT DECISIONS \* PROPOSED DECISIONS \* ALTERNATES \* PRESIDING OFFICER'S DECISION \* ARBITRATOR'S REPORTS**

12/31/02	A.02-04-022	In the Matter of the Application of the California-American Water Company (U210W) for an Order Authorizing it to Increase its Rates for Water Service in its Monterey Division to Increase Revenues by \$5,725,300 or 22.47% in the Year 2003; \$1,772,100 or 6.94% in the Year 2004; and \$996,500 or 3.02% in the Year 2005; <b>Proposed Decision of ALJ McVicar.</b>
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**ADVICE LETTER FILINGS**

**NONE**

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**MISCELLANEOUS TRANSPORTATION ITEMS**  
**Filings with Consumer Protection and Safety Division**

**NONE**

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**MISCELLANEOUS TELECOMMUNICATION MATTERS**

**NONE**

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**TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS**

12/20/02	A.02-03-046	Galvin - In the Matter of the Application of Apple Valley Ranchos Water Company (U 346 W) for Authority to Increase Rates (as authorized by NOI 02-03-017): In 2003 of \$2,775,000 or 27.1% above revenues generated by present rates, in 2004 of
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\$497,839 or 3.8% above the revenues generated by the rates proposed for 2003, in 2005 of \$507,422 or 3.7% above the 2004 revenue requirements.

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**ADJOURNMENTS \* RESETTINGS \* HEARINGS CONCLUDED**

C.01-06-040      Barnett - Dr. Augusto Baronio Martins, Complainant,  
vs. Cingular Wireless (formerly known as Pacific Bell  
Wireless), Defendant,  
**Evidentiary hearing originally set for January 31  
reset to March 20**

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**REMOVALS FROM CALENDAR**

NONE

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**NEW SETTINGS**

1/31/03 ALJ Fukutome Comr Peevey	10:00 a.m. A.02-11-007	<b>(PHC)</b> - In the matter of the Application of the <b>SOUTHERN CALIFORNIA WATER COMPANY</b> <b>(U 133 W)</b> for an order authorizing it to increase rates for water service by \$19,826,100 or 29.72% in 2003; by \$6,327,800 or 7.31% in 2004; and by \$6,326,200 or 6.81% in 2005 in its Region III Service Area and increased rates for the General Office Allocation in all of its Customer Service Areas in this Application including: Arden-Cordova, Bay Point, Clearlake, Los Osos, Ojai, Santa Maria, Simi Valley and Metropolitan, <b>Commission Courtroom, San Francisco</b>
2/5/03 ALJ DeBerry Comr Lynch	10:00 a.m. R.02-10-001	<b>(PHC)</b> - Order Instituting Rulemaking on the Establishment of a Public Purpose Program Surcharge Pursuant to Assembly Bill (AB) 1002, <b>Commission Courtroom, San Francisco</b>



2/24/03	10:00 a.m.	<b>(EH)</b> - Application of Phuong Transportation, Inc., for authority to operate as a passenger stage corporation between points in Pomona, Westminster, San Gabriel, San Jose, and Oakland, and to establish a Zone of Rate Freedom,
ALJ Rosenthal	A.02-07-047	<b>Commission Courtroom, State Office Building</b>
Comr Wood		<b>320 West 4<sup>th</sup> Street, Suite 500</b>
		<b>Los Angeles, CA</b>
		<b>(also February 25)</b>

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### LAW AND MOTION

Law and Motion Hearings are held before **Administrative Law Judge Sarah R. Thomas** at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

1/6/03	10:00 a.m.	<b>(LM)</b> - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers,
ALJ Thomas	I.02-06-003	<b>Commission Courtroom, San Francisco</b>
Comr Wood		

1/6/03	11:00 a.m.	<b>(LM)</b> - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers,
ALJ Vieth	I.02-06-003	<b>Commission Courtroom, San Francisco</b>
Comr Wood		

1/13/03	10:00 a.m.	NONE SCHEDULED
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1/20/03	10:00 a.m.	NONE SCHEDULED
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**FINAL ORAL ARGUMENTS (FOA)**

**NONE**

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**HEARINGS**

Dates in parentheses following the word “also” are subject to change without notice. The assigned Commissioner’s name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

*(PHC) = Prehearing Conference*

*(EH) = Evidentiary Hearing*

*(PPH) = Public Participation Hearing*

*(IAM) = Initial Arbitration Meeting*

*(M) = Mediation*

*(ECP) = Expedited Complaint Procedure*

*(OSC) = Order to Show Cause*

*(WS) = Workshop*

*(FPH) = Full Panel Hearing*

*(AH) = Arbitration Hearing*

*(CA) = Closing Argument*

*(LM) = Law & Motion*

*(OA) = Oral Argument*

1/6/03	9:00 a.m.	<b>(EH)</b> - Application of Southern California Edison
ALJ Wetzell	A.02-05-004	Company (U 338-E) For Authority to, Among Other
Comr Wood		Things, Increase Its Authorized Revenues For Electric
		Service in 2003, And to Reflect That Increase in Rates,
		and

	I.02-06-002	<b>(EH)</b> - Investigation on the Commission’s Own Motion
		into the Rates, Operations, Practices, Service and
		Facilities of Southern California Edison Company,
		<b>Commission Courtroom, San Francisco</b>
		<b>(also January 7 – 10; January 13 – 17;</b>
		<b>January 21 – 24; February 24 – 28;</b>
		<b>March 3 – 4; May 27 - 30)</b>

1/6/03 ALJ Thomas Comr Wood	10:00 a.m. I.02-06-003	<b>(LM)</b> - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, <b>Commission Courtroom, San Francisco</b>
1/6/03 ALJ Vieth Comr Wood	11:00 a.m. I.02-06-003	<b>(LM)</b> - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, <b>Commission Courtroom, San Francisco</b>
1/7/03 ALJ Carew Comr Peevey	9:30 a.m. R.02-06-001	<b>(WS – Working Group 1)</b> - Order Instituting Rulemaking on policies and practices for advanced metering, demand response, and dynamic pricing, <b>Commission Auditorium, San Francisco</b>
1/7/03 ALJ Simon Comr Brown	10:00 a.m. C.02-11-011	<b>(PHC)</b> - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell Telephone Company (U-1001-C), Defendant, <b>Commission Courtroom, San Francisco</b>
1/8/03 ALJ Econome Comr Wood	9:00 a.m. A.02-11-020	<b>(PHC)</b> - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the REDWOOD VALLEY district by \$566,100, or 78.3%, in 2003, by \$205,600 or 16.0%, in 2004, by \$200,300, or 13.4%, in 2005, and \$201,000, or 11.9% in 2006, <b>Commission Courtroom, San Francisco</b>

1/8/03 ALJ Galvin Comr Wood	9:00 a.m. A.02-11-021	<b>(PHC)</b> - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the ANTELOPE VALLEY district by \$60,300, or 5.8%, in 2003, by \$130,600 or 11.8%, in 2004, by \$126,900, or 10.2%, in 2005, and \$127,500, or 9.3% in 2006, <b>Commission Courtroom, San Francisco</b>
1/8/03 ALJ Galvin Comr Wood	9:00 a.m. A.02-11-022	<b>(PHC)</b> - In the Matter of the Application of CALIFORNIA WATER SERVICE COMPANY (U 60 W), a corporation, for an order authorizing it to increase rates charged for water service in the KERN RIVER VALLEY district by \$913,200, or 46.9%, in 2003, by \$148,800 or 5.3%, in 2004, by \$137,500, or 4.6%, in 2005, and \$139,000, or 4.4% in 2006, <b>Commission Courtroom, San Francisco</b>
1/8/03 ALJ Walker Comr Wood	10:00 a.m. A.99-10-010	<b>(PHC)</b> - In the Matter of the Application of Verizon California Incorporated (U 1002 C) for Authority Pursuant to Public Utilities Code Section 851 to Lease Space to Third Parties and Affiliates, and to Share Certain Assets with Affiliates, <b>Commission Courtroom, San Francisco</b>
1/8/03 ALJ Grau Comr Brown	10:00 a.m. C.02-08-033	<b>(TELEPHONIC – PHC)</b> Michael R. O’Gorman, Complainant, vs. AT&T Broadband Phone of California, LLC, Defendant, <b>Commission Room 5011, San Francisco</b>
1/9/03 ALJ Patrick	10:00 a.m. C.02-11-043	<b>(ECP)</b> - Christel Osburn, Complainant, vs. Pacific Gas and Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b>
1/9/03 ALJ Terkeurst Comr Lynch	10:00 a.m. I.02-11-040	<b>(PHC)</b> - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, <b>Commission Courtroom, San Francisco</b>

1/9/03 ALJ Barnett Comr Wood	2:00 p.m. A.02-05-004	<b>(PHC)</b> - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
	I.02-06-002	<b>(PHC)</b> - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company, <b>Commission Courtroom, San Francisco</b>
1/10/03 ALJ Terkeurst Comr Lynch	10:00 a.m. A.02-09-043	<b>(PHC)</b> - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project, <b>Commission Courtroom, San Francisco</b>
1/13/03 ALJ Evans Comr Duque	7:00 p.m. A.02-01-004	<b>(PPH)</b> - In the Matter of the Application of the Kerman Telephone Co. (U 10122 C) to Restructure Intrastate Rates and Charges for Telephone Services Furnished Within the State of California, <b>Kerman Community Center 15100 W. Kearney Blvd. Kerman, CA</b>
1/14/03 ALJ Walker Comr Brown	10:00 a.m. C.02-07-008	<b>(PHC)</b> – Teltrex Management Corporation, Complainant, vs. Pacific Bell, Defendant, <b>Commission Courtroom, San Francisco</b>
1/14/03 ALJ Gottstein Comr Lynch	10:00 a.m. I.00-11-001	<b>(PHC)</b> - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply. <b>Commission Courtroom, San Francisco</b>

1/15/03 ALJ Sullivan Comr Brown	10:00 a.m. A.02-05-034	<b>(EH)</b> – Application of Gary Wayne Shurtliff to Obtain a Household Goods Carrier Permit Pursuant to the Household Goods Carrier Act, contained in Division 2, Chapter 7 of the California Public Utilities Code (sections 5101 et. Seq.), <b>Commission Courtroom, State Office Building 320 West 4<sup>th</sup> Street, Suite 500 Los Angeles, CA</b>
1/16/03 ALJ Rosenthal Comr Peevey	10:00 a.m. A.02-02-018	<b>(EH)</b> - Application of THE BURLINGTON NORTHERN SANTA FE RAILWAY COMPANY for an order closing Avenue 13, CPUC Crossing No. 2-1016.3, D.O.T. No. 028-603-E, at its intersection with Applicant's main track Madera County, California, <b>Commission Courtroom, San Francisco (also January 17)</b>
1/17/03 ALJ Evans Comr Duque	10:00 a.m. A.02-01-004	<b>(PHC)</b> - In the Matter of the Application of the KERNAN TELEPHONE CO. (U 10122 C) to Restructure Intrastate Rates and Charges for Telephone Services Furnished Within the State of California, <b>Commission Courtroom, San Francisco</b>
1/17/03 ALJ Barnett	12:00 Noon C.02-10-041	<b>(ECP)</b> - Tangiers Motel, c/o Rajubhai Patel, Complainant, vs. Pacific Bell, Defendant, <b>Commission Courtroom, State Office Building 320 West 4<sup>th</sup> Street, Suite 500 Los Angeles, CA</b>
1/17/03 ALJ Barnett	1:00 p.m. C.02-11-029	<b>(ECP)</b> - Ronald D. Capizzi, Complainant, vs. Pacific Bell Telephone Company, Defendant, <b>Los Angeles State Office Building 320 West 4<sup>th</sup> Street, Suite 500 Los Angeles, CA</b>
1/21/03 ALJ Long Comr Peevey	10:30 a.m. A.02-10-031	<b>(PHC)</b> - In the Matter of the Application of PACIFICORP (U 901-E) for Exemption from the Requirements of California Public Utilities Code Section 851, <b>Commission Courtroom, San Francisco</b>

1/22/03 ALJ Mattson Comr Peevey	9:30 a.m. I.02-04-026	<b>(EH)</b> - Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan for Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM, <b>Commission Courtroom, San Francisco</b>
1/22/03 ALJ Halligan Comr Peevey	10:00 a.m. A.02-10-040	<b>(PHC)</b> - In the Matter of the Application of San Diego Gas and Electric Company to Modify and Extend Permanent Gas Procurement Performance-Based Rate Making Mechanism, <b>Commission Courtroom, San Francisco</b>
1/23/03 ALJ McVicar Comr Wood	2:00 p.m. & 7:00 p.m. A.02-09-030	<b>(PPH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Sacramento District to increase revenues by \$8,198,700 in the year 2003; and \$1,955,000 in the year 2004, and
	A.02-09-031	<b>(PPH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Larkfield District to increase revenues by \$512,800 in the year 2003; and \$96,900 in the year 2004, and
	A.02-09-032	<b>(PPH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Felton District to increase revenues by \$410,200 in the year 2003; \$101,200 in 2004; and \$31,000 in the year 2005, and





1/31/03 ALJ Fukutome Comr Peevey	10:00 a.m. A.02-11-007	<b>(PHC)</b> - In the matter of the Application of the <b>SOUTHERN CALIFORNIA WATER COMPANY (U 133 W)</b> for an order authorizing it to increase rates for water service by \$19,826,100 or 29.72% in 2003; by \$6,327,800 or 7.31% in 2004; and by \$6,326,200 or 6.81% in 2005 in its Region III Service Area and increased rates for the General Office Allocation in all of its Customer Service Areas in this Application including: Arden-Cordova, Bay Point, Clearlake, Los Osos, Ojai, Santa Maria, Simi Valley and Metropolitan, <b>Commission Courtroom, San Francisco</b>
2/3/03 ALJ Sullivan Comr Wood	9:00 a.m. – 1:00 p.m. R.02-11-039	<b>(WS)</b> - Rulemaking to implement the provisions of Public Utilities Code § 761.3 enacted by Chapter 19 of the 2001-02 Second Extraordinary Legislative Session, <b>Commission Auditorium, San Francisco</b>
2/5/03 ALJ DeBerry Comr Lynch	10:00 a.m. R.02-10-001	<b>(PHC)</b> - Order Instituting Rulemaking on the Establishment of a Public Purpose Program Surcharge Pursuant to Assembly Bill (AB) 1002, <b>Commission Courtroom, San Francisco</b>
2/6/03 ALJ Simon Comr Wood	2:00 p.m. C.02-07-020	<b>(TELEPHONIC - PHC)</b> - City Of Delano, Complainant, vs. Union Pacific Railroad Company, Defendant, <b>Commission Room 5024, San Francisco</b>
2/13/03 ALJ Econome Comr Duque	9:00 a.m. A.02-07-025	<b>(EH)</b> - Application of Bakman Water Company (U 219 W) for Authority to: (1) Remove the Proceeds of Water Contamination Lawsuits From Contributions-In-Aid-of Construction, (2) Increase Rate Base, and (3) Recover Increased Revenue Requirements in Rates, <b>Commission Courtroom, San Francisco (also February 14)</b>
2/13/03 ALJ DeBerry Comr Peevey	10:00 a.m. A.02-04-001	<b>(EH)</b> - In the Matter of the Application of Southern California Water Company for a Certificate of Public Convenience and Necessity Pursuant to Public Utilities Code Section 1001 to Construct an 8.4 MW Natural Gas-Fueled Generator Facility in its Bear Valley Electric Service Division, <b>Commission Courtroom, San Francisco (also February 14)</b>

2/13/03 ALJ Bemdesderfer Comr Brown	10:00 a.m. I.02-09-001	<b>(PHC)</b> - In the Matter of the Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Laurie Rose Nelson-Akst, an Individual Doing Business As All America Express Moving and Storage (T-189, 147), and of All America Express Moving and Storage Services, Inc., a California Corporation, and its President, Laurie Rose Nelson-Akst, and Vice-President, Etay Akst, Respondents, <b>Commission Courtroom, San Francisco</b>
2/18/03 ALJ Evans Comr Duque	10:00 a.m. A.02-01-004	<b>(EH)</b> - In the Matter of the Application of the KERMAN TELEPHONE CO. (U 10122 C) to Restructure Intrastate Rates and Charges for Telephone Services Furnished Within the State of California, <b>Commission Courtroom, San Francisco</b> <b>(also February 19 – 21 and February 24 – 28)</b>
2/18/03 ALJ Rosenthal Comr Peevey	10:00 a.m. A.02-05-054	<b>(EH)</b> - Application of the City of WEST SACRAMENTO for an Order authorizing construction of a crossing at grade between Lake Washington Boulevard and the tracks on the Yolo Shortline Railroad Company, <b>Commission Courtroom, San Francisco</b> <b>(also February 19)</b>
2/24/03 ALJ Rosenthal Comr Wood	10:00 a.m. A.02-07-047	<b>(EH)</b> - Application of Phuong Transportation, Inc., for authority to operate as a passenger stage corporation between points in Pomona, Westminster, San Gabriel, San Jose, and Oakland, and to establish a Zone of Rate Freedom, <b>Commission Courtroom, State Office Building</b> <b>320 West 4<sup>th</sup> Street, Suite 500</b> <b>Los Angeles, CA</b> <b>(also February 25)</b>

3/4/03 ALJ Bemserderfer Comr Brown	9:00 a.m. I.02-09-001	<b>(EH)</b> - In the Matter of the Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Laurie Rose Nelson-Akst, an Individual Doing Business As All America Express Moving and Storage (T-189, 147), and of All America Express Moving and Storage Services, Inc., a California Corporation, and its President, Laurie Rose Nelson-Akst, and Vice-President, Etay Akst, Respondents, <b>Commission Courtroom, San Francisco</b> <b>(also March 5 – 6)</b>
3/4/03 ALJ Evans Comr Duque	10:00 a.m. A.02-07-021	<b>(EH)</b> - In the Matter of the Application of Southern California Water Company (U 133 W) for an Order pursuant to Public Utilities Code Section 851 Approving a Settlement Agreement that will Convey Water Rights in the Culver City Customer Service Area, <b>Commission Courtroom, San Francisco</b> <b>(also March 5 – 7)</b>
3/17/03 ALJ Vieth Comr Wood	9:00 a.m. I.02-06-003	<b>(EH)</b> - Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers, <b>Commission Courtroom, San Francisco</b> <b>(also March 18 – 21 and March 24 - 27)</b>
3/20/03 ALJ Barnett Comr Duque	10:00 a.m. C.01-06-040	<b>(EH)</b> - Dr. Augusto Baronio Martins, Complainant, vs. Cingular Wireless (formerly known as Pacific Bell Wireless), Defendant, <b>Commission Courtroom, San Francisco</b>
3/24/03 ALJ McVicar Comr Wood	9:30 a.m. A.02-09-030	<b>(EH)</b> - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Sacramento District to increase revenues by \$8,198,700 in the year 2003; and \$1,955,000 in the year 2004, and

	A.02-09-031	(EH) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Larkfield District to increase revenues by \$512,800 in the year 2003; and \$96,900 in the year 2004, and
	A.02-09-032	(EH) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Felton District to increase revenues by \$410,200 in the year 2003; \$101,200 in 2004; and \$31,000 in the year 2005, and
	A.02-09-033	(EH) - In the Matter of the Application of the CALIFORNIA-AMERICAN WATER COMPANY (U 210 W) for an order authorizing it to increase its rates for water service in its Montara District to increase revenues by \$234,200 in the year 2003; \$38,200 in 2004; and \$45,000 in the year 2005, <b>Commission Courtroom, San Francisco (also March 25 – 28 and April 1 – 4)</b>
3/25/03 ALJ Simon Comr Wood	10:00 a.m. C.02-07-020	(EH) - City Of Delano, Complainant, vs. Union Pacific Railroad Company, Defendant, <b>Commission Courtroom, San Francisco (also March 26 – 27 at 9:00 a.m.)</b>
4/1/03 ALJ Wong Comr Lynch	10:00 a.m. A.01-10-011	(EH) - Application of Pacific Gas and Electric Company Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016. (U 39 G), <b>Commission Courtroom, San Francisco (also April 2 – 4; April 7; and April 8 - 10 if needed at 9:00 a.m.)</b>
4/8/03 ALJ Vieth Comr Peevey	9:00 a.m. C.02-09-035	(EH) - Industry Entertainment, Complainant, vs. SBC Pacific Bell, Defendant, <b>Commission Courtroom, State Office Building 320 West 4<sup>th</sup> Street, Suite 500 Los Angeles, CA</b>

4/9/03 ALJ Barnett Comr Lynch	10:00 a.m. A.01-06-041	<b>(EH)</b> - In the Matter of the Application of SIERRA PACIFIC POWER COMPANY (U-903-E) for an Order Authorizing an Immediate Interim Rate Increase, Subject to Refund, and for Consideration of a Rate Stabilization Plan, <b>Commission Courtroom, San Francisco</b> <b>(also April 10 - 11)</b>
4/28/03 ALJ Kenney Comr Lynch	10:00 a.m. R.01-09-001	<b>(EH)</b> - Order Instituting Rulemaking on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, and
	I.01-09-002	<b>(EH)</b> - Order Instituting Investigation on the Commission's Own Motion to Assess and Revise the New Regulatory Framework for Pacific Bell and Verizon California Incorporated, <b>Commission Courtroom, San Francisco</b> <b>(also April 29 – May 2, May 5 - 9, and May 12 - 13 at 9:00 a.m.)</b>
4/28/03 ALJ Brown Comr Lynch	10:00 a.m. R.02-06-041	<b>(EH)</b> - Order Instituting Rulemaking to Require California Natural Gas and Electric Utilities to Preserve Interstate Pipeline Capacity to California, <b>Commission Courtroom, San Francisco</b> <b>(also April 29 – May 2)</b>
4/29/03 ALJ Barnett Comr Wood	10:00 a.m. C.01-01-032	<b>(EH)</b> - ENRON ENERGY SERVICES, INC. and ENRON ENERGY MARKETING CORP., Complainants, vs. PACIFIC GAS AND ELECTRIC COMPANY, Defendant, and
	C.01-01-051	<b>(EH)</b> - APS ENERGY SERVICES COMPANY, INC., Complainant, vs. PACIFIC GAS AND ELECTRIC COMPANY, Defendant, and
	C.01-03-001	<b>(EH)</b> - ABAG PUBLICLY OWNED ENERGY RESOURCES, Complainant, vs. PACIFIC GAS AND ELECTRIC COMPANY, Defendant, and
	C.01-09-011	<b>(EH)</b> - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, <b>Commission Courtroom, San Francisco</b>

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**NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING**

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

**NONE**

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**NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))**

**NONE**

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**NOTICE OF EX PARTE COMMUNICATIONS**

*Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.*

12/16/02	A02-05-046	Southern California Edison Company (U 338-E), Regarding the Future Disposition of the Mohave Generating Station.
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**Summary: LATE FILED.** On December 11, 2002, Harold B. Ray, Executive Vice President of Southern California Edison Company (Edison), met with Cmmr. Peevey in San Francisco. Also present were Kevin Coughlan and Julie Fitch, advisors to Cmmr. Peevey, and Bruce Foster, Vice President, and Michael Hoover, Director of Regulatory Affairs, for Edison. Written materials (attached to the notice) were used. Edison's representatives explained that Edison's preliminary engineering of the required Mohave pollution controls and other plant retrofits will be concluded by the end of 2002, and at that point the project cannot usefully proceed further without taking the major step of retaining an architectural/engineering firm. Edison representatives stated that Edison and the other Mohave co-owners cannot responsibly proceed with that next phase without adequate assurance of a post-2005 fuel supply, of adequate quality and

reasonable cost, and at present such assurance does not exist. Edison's representatives also explained that due to the current lack of resolution of the fuel supply issues, Edison is unable to file a certificate of public convenience and necessity application for the Mohave pollution controls and other retrofits.

**Filer: Southern California Edison Company**

**Contact: Henry Romero**

**Phone: (626) 302-4124**

12/18/02	A98-02-017	Pacific Bell, for authority to categorize business inside wire repair, interexchange carrier directory assistance, operator assistance service and inmate call control service as Category III services.
	A98-04-048	Pacific Bell, for authority to categorize residence inside wire repair as a category III service.

**Summary:** On December 13, Linda Vandeloop, Executive Director-Regulatory Matters, SBC Pacific Bell Telephone Company, met with Cmmr. Brown in San Francisco. Also present were Robert Wullenjohn, advisor to Cmmr. Brown, and David Discher, General Attorney, Pacific Telesis. Vandeloop and Discher discussed the alternate granting the Office of Ratepayer Advocates' petition to modify D99-06-053 and stated that the alternate is basing the decision to approve the petition on one fact and does not look at the entire record.

**Filer: SBC Pacific Bell Telephone Company**

**Contact: Claudia Barros**

**Phone: (415) 542-3820**

12/18/02	A02-01-036	Joint Application of California-American Water Company (U 210-W), a California corporation, RWE Aktiengesellschaft, a corporation organized under the laws of the Federal Republic of Germany, Thames Water Aqua Holdings GmbH, a corporation organized under the laws of the Federal Republic of Germany, Thames Water Plc, a corporation organized under the laws of the United Kingdom and Wales, and Apollo Acquisition Company, a Delaware corporation, for an order Authorizing Apollo Acquisition Company to merge with and into American Water Works Company, Inc., resulting in a change of control of California-American Water Company, and for such related relief as may be necessary to effectuate such transaction.
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**Summary:** On December 11, 2002, Scott Mitnick, Deputy City Manager of the City of Thousand Oaks (City), had a telephone conference with Cmmr. Peevey. Also participated Kevin Coughlan, advisor to Cmmr. Peevey. Mitnick explained the City's opposition to the application including the policy implications of foreign ownership and control of a local water utility, detriments to ratepayers, the potential for significant rate

increases, the possibility of a reduction in existing service levels, the applicant's refusal to comply with the City's franchise agreement, and the failure of the applicant to identify long and short term ratepayer benefits from the application.

**Filer: City of Thousand Oaks**

**Contact: Jason R. Alcalá**

**Phone: (805) 449-2170**

12/18/02      A02-06-021      San Diego Gas & Electric Company (U 902-M), for Authority to Extend its Short-Term Borrowing Authorization of an aggregate amount not to exceed \$200,000,000 through December 31, 2007, in addition to that amount otherwise authorized by Public Utilities Code Section 823.

**Summary: AUGMENTATION REQUIRED.** On December 13, 2002, Billy Blattner, CPUC Relations Manager, for Sempra Energy Utilities, met with Lynne McGhee, advisor to Cmmr. Duque. Also present were Peter Hanson, advisor to Cmmr. Brown, Marilyn Burke, Finance Director, and Gary Hayes, Principal Financial Analyst, for Sempra Energy, and Mark Ward, Regulatory Project Manager for San Diego Gas & Electric Company (SG&E). Blattner explained that SDG&E's current authorization to borrow \$200 million in short-term debt enables SDG&E to quickly and cost-effectively cover temporary cash shortfalls encountered in the ordinary course of business. Burke explained that economic theory supports matching maturities of assets and liabilities and that SDG&E's short-term debt reauthorization request is routine but critical. Blattner pointed out that a failure to extend the authority would be viewed negatively by credit rating agencies. Hayes explained that data provided to the Commission assumed business-as-usual circumstances but that sufficient authority is needed to cover unanticipated needs. Burke stated that the \$200 million authority in the alternate is appropriate while the lesser amount in the revised proposed decision may be insufficient.

**Filer: Sempra Energy Utilities**

**Contact: Renee Le Camus**

**Phone: (415) 202-9986**

12/20/02      A98-04-048      Pacific Bell, for authority to categorize residence inside wire repair as a category III service.  
                   A98-02-017      Pacific Bell, for authority to categorize business inside wire repair, interexchange carrier directory assistance, operator assistance service and inmate call control service as Category III services.

**Summary:** On December 17, Regina Birdsell, Director of the Office of Ratepayer Advocates (ORA), met with Cmmr. Peevey in San Francisco. Also present were Lester Wong, advisor to Cmmr. Peevey, and James Simmons, Public Utilities Regulatory Analyst V, and Laura Tudisco, Staff Counsel, for ORA. Written materials (attached to the notice) were used. ORA's representatives urged the Commission to adopt the alternate of Pres. Lynch.



**Filer: Office of Ratepayer Advocates - Tudisco****Contact: Sue Muniz****Phone: (415) 703-1858**

**Summary:** On December 18, Ira Alderson, 2002, Deputy Director of the Office of Ratepayer Advocates (ORA), met with Cmmr. Brown in San Francisco. Also present were Robert Wullenjohn, advisor to Cmmr. Brown, and James Simmons, Public Utilities Regulatory Analyst V, and Laura Tudisco, Staff Counsel, for ORA. Written materials (attached to the notice) were used. ORA's representatives urged the Commission to adopt the alternate of Pres. Lynch.

**Filer: Office of Ratepayer Advocates - Tudisco****Contact: Sue Muniz****Phone: (415) 703-1858**

12/20/02      A01-03-036      San Diego Gas & Electric Company, for a Certificate of Public Convenience and Necessity for the Valley-Rainbow 500 KV Interconnect Project.

**Summary:** On December 16, 2002, Billy Blattner, CPUC Relations Manager of Sempra Utilities (SEU), had a telephone communication on behalf of San Diego Gas & Electric Company (SDG&E), with Laura Krannawitter, advisor to Cmmr. Duque. Blattner stated that although routing issues will be considered in Phase 2 of the proceeding, SDG&E believes that language expressing the Commission's concerns about the feasibility of certain routes may be appropriately inserted into the Phase 1 need decision. Blattner noted that, as stated publicly, SDG&E does not intend to initiate condemnation proceedings prior to a Commission route determination but retains its rights under the law.

**Filer: Sempra Energy Utilities****Contact: Renee Le Camus****Phone: (415) 202-9986**